

1 JERRY Y. FONG, ESQ. (SBN 99673)
2 CAREY & CAREY
2 706 COWPER STREET
P.O. BOX 1040
3 PALO ALTO, CA 94302-1040
650/328-5510
4 650/853-3632 fax

5 || Attorneys for Defendant
DAVID RAY HERNANDEZ

6

7

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 DAVID RAY HERNANDEZ,
15 Defendant.

CASE: CR 07-00506 JW
CR 07-00508 JW

**STIPULATION TO CONTINUE
DATE SET FOR JUDGMENT
AND SENTENCING, AND
[proposed] ORDER THEREON**

17 ITS IS HEREBY STIPULATED, by and between THOMAS M. O'CONNELL,
18 ESQ., attorney for the UNITED STATES OF AMERICA, and JERRY Y. FONG, ESQ.,
19 counsel for Defendant DAVID RAY HERNANDEZ that the date set for judgment
20 and sentence which is currently set for Monday, April 28, 2008, be continued
21 to Monday, June 2, 2008, at 1:30 pm.

22 Counsel for Defendant HERNANDEZ has been in a federal civil trial for the
23 past three days and in preparation for said trial during the week preceding, so
24 he has been unable to properly prepare for the sentencing hearing on Mr.
25 HERNANDEZ, including meeting with the Defendant.

26 || //

27 | //

28 || //

1 In this regard, defense counsel has contacted the probation officer, Ms.
2 Lori Timmons, and she has no objection to this continuance.

3 IT IS SO STIPULATED.

4

5 DATED: April 25, 2008

CAREY & CAREY

6

7

/s/

JERRY Y. FONG, Attorneys for
Defendant DAVID RAY HERNANDEZ

8

9

10

11

DATED: 4/25, 2008

UNITED STATES OF AMERICA

12

13

/s/

14

THOMAS M. O'CONNELL,
Assistant U.S. Attorney

15

16

17

ORDER

18

19

20

21

pm.

22

23

24

DATED: April 25, 2008


HON. JAMES WARE
U.S. DISTRICT COURT JUDGE

25

26

27

28